

SOUTHERN DISTRICT OF NEW YORK

CASE No. 07CIV5805

NOVELLA JOHNSON,

against

Plaintiff(s) Petitioner(s)

CITY OF NEW YORK, ET AL.,

Defendant(s) Respondent(s)

Calendar No.
AFFIDAVIT
OF
SERVICE

being sworn,

KINGS COUNTY, NEW YORK STATE: Domingo R. Barros

says: Deponent is not a party herein, is over 18 years of age and resides at 26 Court Street, Brooklyn, New York

On OCT. 11, 2007 at 4:00 P.M., at 130 LIVINGSTON STREET BROOKLYN, NEW YORK

deponent served the within summons with notice summons, Spanish summons and complaint, the language required by NYCRR summons and complaint

2900.2(e), (f) & (h) was set forth on the face of the summons(es)

 notice of petition and petition citation subpoena subpoena duces tecumon MANHATTAN BRONX SURFACE TRANSIT OPERATING AUTHORITY defendant (hereinafter respondent called

therein named

 witness the recipient)

INDIVIDUAL

1.

by delivering a true copy of each to said recipient personally; deponent knew the person so served to be the person described as said recipient therein.

CORPORATION

2.

a MUNICIPAL corporation, by delivering thereat a true copy of each to ANGELINE INGRAM personally, deponent knew said corporation so served to be the corporation, described in same as said recipient and knew said individual to be

SUITABLE AGE PERSON

3.

AUTHORIZED AGENT thereof

a person of suitable

age and discretion. Said premises is recipient's actual place of business dwelling place usual place of abode within the state.

AFFIXING TO DOOR, ETC.

4. by affixing a true copy of each to the door of said premises, which is recipient's actual place of business dwelling place usual place of abode within the state. Deponent was unable, with due diligence to find recipient or a person of suitable age and discretion, thereat, having called there

Deponent talked to

at said premises who stated that recipient lived worked there.

MAILING TO RESIDENCE USE WITH 3 OR 4

SA.

Within 20 days of such delivery or affixing, deponent enclosed a copy of same in a postpaid envelope properly addressed to recipient at recipient's last known residence, at

and deposited said envelope in an official depository under exclusive care and custody of the U.S. Postal Service within New York State.

MAILING TO BUSINESS USE WITH 3 OR 4

SB.

Within 20 days of such delivery or affixing, deponent enclosed a copy of same in a first class postpaid envelope properly addressed to recipient at recipient's actual place of business, at

in an official depository under the exclusive care and custody of the U.S. Postal Service within New York State. The envelope bore the legend "Personal and Confidential" and did not indicate on the outside thereof, by return address or otherwise, that the communication was from an attorney or concerned an action against the recipient.

DESCRIPTION

 Male White Skin Black Hair White Hair 14-20 Yrs. Under 5' Under 100 Lbs. Female Black Skin Brown Hair Balding 21-35 Yrs. 50"-53" 100-130 Lbs. Yellow Skin Blonde Hair Mustache 36-50 Yrs. 54"-58" 131-160 Lbs. Brown Skin Gray Hair Beard 51-65 Yrs. 59"-60" 161-200 Lbs. Red Skin Red Hair Glasses Over 65 Yrs. Over 6' Over 200 Lbs.

Other identifying features:

WITNESS FEES

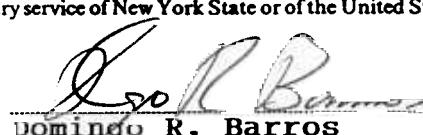
\$ the authorizing traveling expenses and one day's witness fee:

 was paid (tendered) to the recipient
 was mailed to the witness with subpoena copy.

MILITARY SERVICE

I asked the person spoken to whether recipient was in active military service of the United States or of the State of New York in any capacity whatever and received a negative reply. Recipient wore ordinary civilian clothes and no military uniform. The source of my information and the grounds of my belief are the conversations and observations above narrated.

Upon information and belief I aver that the recipient is not in military service of New York State or of the United States as that term is defined in either the State or in the Federal statutes.

Sworn to before me on 10/11/07 Karen Barros
Notary Public, State of N.Y.
No. 01BA6119737
Qualified in Westchester Co.
Commission Expires Dec. 06 2008
Domingo R. Barros

License No. 745503